

## **REMARKS/ARGUMENTS**

A Response to the Final Rejection of December 20, 2004 was mailed March 3, 2005. In an Advisory Action dated March 30, 2005, the Examiner stated that the proposed amendment of March 3, 2005 raised new issues which would require further consideration and/or a search, for purposes of appeal the proposed amendment will not be entered and that the request for reconsideration has been considered but did not place the application in condition for allowance. Accordingly, Applicants hereby files a "Request for Continued Examination (RCE).

In the Final Rejection of December 20, 2004, all of claims 1-106 were rejected under 35 U.S.C. §102(a) and (b) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over WO 02/24597 (Mazany et al) WO 02/24596 (Cartwright et al) or Woolum, U.S. Patent 4,936,939. Applicants have amended various claims and now deem that the same are allowable.

With respect to the WO 02/24597 and WO 02/24596 references, they are Applicants' own prior applications and hence Applicants note the following: Applicants have previously filed two U.S. patent applications, namely U.S. Serial Nos. 09/871,765 filed June 1, 2001, as well as 09/871,998 filed June 1, 2001. Prior U.S. patent application 09/871,765 filed June 1, 2001 is the same as reference WO 02/24597 and prior U.S. patent application 09/871,998 filed June 1, 2001 is the same as reference WO 02/24596. These two references are thus not proper references inasmuch as the Applicants have claimed the benefit of both applications (09/871,765 and 09/871,998) under 35 U.S.C. §120. In accordance with Section 120 as well as Section 201.11 of the Manual of Patenting Examining Procedure, Applicants have claimed the benefit thereof in the first sentences of the instant U.S. patent application. Further in compliance with 35 U.S.C. §120 and the Manual of Patenting Examining Procedure, the prior applications contain a commonality of inventors; that is the same three inventors of Anthony Mazany, John Robinson, and Craig Cartwright, as in the present application. The content of the prior U.S. applications bearing serial numbers 09/871,765 and 09/871,998 are

also contained in the present application. It is furthermore noted that the two prior applications, while having been allowed, are still currently co-pending and naturally were co-pending as of the filing date of February 12, 2004 of the present application.

It is thus respectfully submitted that all aspects of 35 U.S.C. §120 as well as the Manual of Patenting Examining Procedure have been complied with and accordingly reference WO 02/24597 and WO 02/24596 are not proper references.

Accordingly, the only remaining reference is to Woolum, U.S. Patent 4,936,939. Woolum relates to graphite fibers, which can have a metal coating, and which are bound together by a slurry of an aqueous alkali silicate and a filler, see Column 4, lines 32-50. The filler can be a powdered ceramic, or a powdered ceramic and powdered metal. Examples of suitable fillers include powdered molybdenum or chromium, with the balance being fused silica powder, that is  $\text{SiO}_2$ . Additional filler ceramic materials include powdered aluminum dioxide, finely divided amorphous silica, powdered glass, or a mixture of aluminum dioxide and silicon dioxide.

Considering amended independent claims 1 and 2, they relate to the reaction product of an alkali silicate, and one or more oxoanionic compounds or a reactive acidic glass, or both. Woolum totally lacks any teaching or suggestion of an oxoanionic compounds such as those more specifically set forth in claims 7-12 as for example boric acid, phosphoric acid, sodium dihydrogen phosphate, and the like. Hence, it is not pertinent with regard to claims 1, 2, 4-22, or 24-27. Independent claims 1 and 2 also relate to the reactive product of an alkali silicate and a reactive glass such as those more specifically set forth in claims 14-17. Woolum totally lacks any teaching or suggestion of a reactive glass and hence, it is not pertinent with regard to any of claims 1, 2, 4-22, or 24-27.

Independent claim 28 while being in a formula format is similar to claim 1 in that it includes an oxoanionic compound or a reactive acidic glass, or both. Hence, for the same reasons as set forth with respect to independent claim 1, claims 28-54 are allowable.

Claims 55-71 and 89, either directly or indirectly, depend from claim 1 and claim further attributes of the composition such as the reinforcement having an oxophilic character at the interface between the polymer matrix and the reinforcement such as the reinforcement is treated by chemical oxidation, etc. Accordingly, it is respectfully submitted that claims 55-71 and 89 are allowable for the above reasons set forth with respect to claim 1 and further since they claim attributes not taught or suggested by Woolum.

Independent claim 72 relates to a composition comprising an alkali silicate and a reactive boron containing glass. Inasmuch as Woolum totally fails to teach or suggest any reactive boron containing glass, it is respectfully submitted that independent claim 72 and dependent claims 73-75 and 95 are readily allowable. Similarly, independent claim 76 which relates to a composition comprising an alkali silicate and an oxoanionic compound such as potassium dihydrogen phosphate is readily allowable.

Dependent claims 77-88 depend either directly, or indirectly from claim 1 and further recite additional limitations such as reinforcement exhibiting an oxophilic character at the interface between the polymer matrix and the reinforcement, etc. They are thus deemed to be allowable because of the reasons set forth with regard to independent claim 1, and also based upon the additional limitations set forth therein which is not taught or suggested by Woolum.

Independent claims 90-94 relate to a composition comprising a reinforcement and an alkali silicate wherein the reinforcement exhibits an oxophilic character at the interface between the matrix and the reinforcement as a result of a sizing comprising polyvinyl alcohol being applied to the reinforcement. Woolum totally lacks a primer comprising polyvinyl alcohol which is applied to any reinforcement. Upon this basis, it is deemed that claims 90-94 are readily allowable.

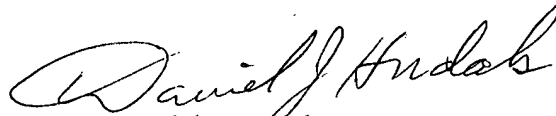
Independent claims 96-98 and claims 102-104 which depend there from relate to glasses derived from a boron containing compound as well as from an alkali oxide and also an alkaline earth oxide. Woolum has not teaching or suggestions whatsoever of at least a

glass derived from a boron containing compound and upon this basis it is deemed that claims 96-98 and 102-104 are allowable.

In view of the above amendments and arguments, a formal Notice of Allowance of claims 1, 2, 4-22, 24-98, and 102-104 is earnestly solicited.

Respectfully submitted,

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